

**BUSINESS REPORT**

**MONTANA SENATE  
61st LEGISLATURE - REGULAR SESSION**

**SENATE TAXATION COMMITTEE**

**Date:** Friday, April 17, 2009  
**Place:** Capitol

**Time:** 9:00 A.M.  
**Room:** 405

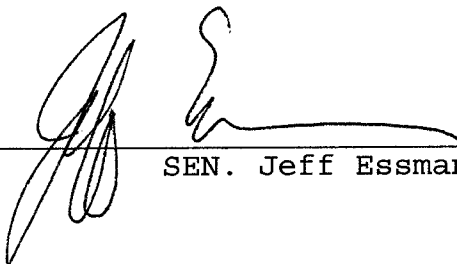
**BILLS and RESOLUTIONS HEARD:**

SR 36

**EXECUTIVE ACTION TAKEN:**

NONE

**COMMENTS:**



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SEN. Jeff Essmann, Chairman

MONTANA STATE SENATE  
ROLL CALL  
TAXATION COMMITTEE

DATE: April 17, 2009

NAME	PRESENT	ABSENT/ EXCUSED
Chairman Jeff Essmann	✓	
Vice Chair Taylor Brown	✓	
Senator Jerry Black	✓	
Senator Gary Branae	✓	
Senator Ron Erickson	✓	
Senator Kelly Gebhardt	✓	
Senator Kim Gillan	✓	
Senator Bradley Maxon Hamlett	✓	
Senator Christine Kaufmann	✓	
Senator Robert Story, Jr.	✓	
Senator Bruce Tutvedt	✓	

# VISITORS REGISTER

## MONTANA SENATE TAXATION COMMITTEE

Date: April 17, 2009 Bill No: SR 36

Sponsor(s): Sen. Kim Gillan

(Confirmation of Dan Bucks ~ Director of Revenue)

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NAME	REPRESENTING	Support	Oppose	Inform't'l
Tom Blumstein	NEA-WFT	X		
Clare Clifford	AARP MT	✓		
John Fitzpatrick	Neighborhood Energy	✓		
Samantha Sanchez	Self	✓		
Tara Veazey	MBPC	✓		
Anna Whitey Smith		✓		
Darrell Jones	CITY OF MISSOULA	✓		
Bruce Nelson	Gov. office	✓		
Michael V. V.	MT Home Choice	✓		
Jim Elliott	CITIZEN	✓		
Don Tudge	Self	X		

Please leave prepared testimony with Committee Secretary. Witness Statement forms are available if you prefer to submit written testimony.

COMMISSIONERS  
Box 846 - Phone 778-7107  
Deb Ranum, Chairperson, Baker  
Dennis Afrank, Baker  
Donald Rieger, Ismay

CLERK & RECORDER/SUPT OF SCHOOLS  
Brenda J. Wood  
Box 846 - Phone 778-7108

COUNTY ATTORNEY  
Albert R. (Rich) Batterman  
Box 1075- Phone 778-3008

JUSTICE OF THE PEACE  
Nicole Brown  
Box 846 - Phone 778-7128



CLERK OF COURT  
Jeraldine Newell  
Box 1521 Phone 778-7114

SHERIFF/CORONER  
Tim Berkley  
Box 899 - Phone 778-2879

TREASURER/ASSESSOR  
Faye M. Koenig  
Box 787 - Phone 778-7109

## FALLON COUNTY

### BAKER, MONTANA 59313

April 20, 2009

**From:** Fallon County Commission-Deb Ranum, Donald Rieger and Dennis Afrank  
Fallon County Clerk and Recorder-Brenda J. Wood

**To:** Honorable Members of Senate Taxation Committee

**RE:** SR36

**Dear Honorable Members of the Committee,**

The above named elected officials of Fallon County would like to respectfully request that you please **Do Not Concur on SR36.**

**The following are reasons we feel justified in our decision:**

- 1) **Local DOR Offices**-Local Officials such as the Commissioners, Treasurer /Assessor and Clerk and Recorder are unable to obtain information from our Local DOR offices without getting approval from Helena beforehand. This information belongs to our Counties as well.
- 2) **TIFID's (Tax Increment Finance Industrial Districts)**-Not everyone is treated fairly or in the same manner. Why does a Court of Law have to determine the legality of the Department's-decision?
- 3) **Omimex**-Counties were given information causing Counties to side with the Department of Revenue, when the information was in fact-not truthful.

**Very Respectfully Submitted,**

s/Deb Ranum, Fallon County Commission Chair  
s/Donald Rieger, Fallon County Commission Vice-Chair  
s/Dennis Afrank, Fallon County Commission Member  
s/Brenda J. Wood, Clerk and Recorder

COUNTY COMMISSIONERS**PHILLIPS COUNTY**

**RICHARD DUNBAR**  
White, Montana

**LESLEY ROBINSON**  
Dodson, Montana

**TROY BLUNT**  
Malta, Montana

**Clerk & Recorder**  
**LAUREL N. HINES**

**Treasurer/Assessor**  
**JEAN MAVENCAMP**



**PO BOX 360, Malta MT 59538**

**Sheriff/Coroner**  
**TOM MILLER**

**Clerk of Court**  
**IRIS ROBINSON**

**Superintendent of Schools**  
**VIVIAN TAYLOR**

**County Attorney**  
**EDWARD A. AMESTOY**

**Justice of Peace**  
**GAYLE STAHL**

**District Judge**  
**JOHN C. McKEON**

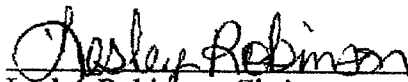
April 20, 2009


To Whom It May Concern:

Phillips County would like to go on the record opposing the appointment of Dan Bucks as the Director of the Department of Revenue.

We do not agree with the way the Department of Revenue handled the Supreme Court decision in the Omimex case after the court ruled against them. First of all they did not ask counties to write briefs supporting the District Court decision. Then the Department came out and told the counties that all centrally accessed oil and gas pipelines will go into class eight property if the decision stands. The Department was proposing legislation that would bring things back to status quo, but would bring a couple of companies up from class 8 to class 9. It seems that if things are going the way the Department wants, counties are not kept informed. When things aren't going the way the Department wants they come to the counties. Instead we should be trying to work together in applying the law.

Sincerely,  
BOARD OF COUNTY COMMISSIONERS

  
Lesley Robinson, Chairman

  
Troy Blunt, Member

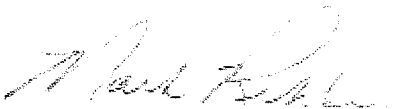
  
Richard Dunbar, Member

Committee Members:

I want to voice my disapproval of Dan Bucks as director of the Montana Department of Revenue.

As a member of the Montana Association of Oil, Gas, and Coal Counties I have found it extremely difficult to work with him as director of the Department of Revenue. We worked on different legislation during the last two legislative sessions and have found it difficult at best to get any cooperation from his department. Mr. Bucks has lost all credibility with many counties due to the inability to get information from DOR let alone information with any degree of accuracy.

For these reasons I believe the director has lost the ability to operate the department in an effective manner.

A handwritten signature in cursive script, appearing to read "Mark Rehbein".

Mark Rehbein  
Lambert MT

**BOARD OF COUNTY COMMISSIONERS**

POWDER RIVER COUNTY  
PO Box 200  
Broadus, Montana 59317

Phone: 406-436-2657  
Fax: 406-436-2151

Ray Traub, Broadus  
Don McDowell, Broadus  
Les Thompson, Broadus

TO: Senate Taxation Committee  
From: Powder River County Commissioners  
Re: SR 36 Confirm Director of Revenue

Powder River County Commissioners want to voice disapproval of Dan Bucks as director of the Montana Department of Revenue.


As a member of the Montana Association of Oil, Gas and Coal Counties, we have found it difficult at best to get unbiased information from the State DOR. We do not feel this is in the State of Montana's best interest.

For this reason, we believe the director has lost the ability to run this office.

BOARD OF COUNTY COMMISSIONERS  
POWDER RIVER COUNTY

  
Ray Traub, Chairman

  
Don McDowell

  
Les Thompson